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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,261	10/01/2001	Tomohiko Hattori	110739	5141
25944	7590	09/16/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			CHANG, RICK KILTAE	
			ART UNIT	PAPER NUMBER
			3729	
DATE MAILED: 09/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,261

Applicant(s)

HATTORI, TOMOHIKO

Examiner

Rick K. Chang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 9-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/3/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 1-8 in the reply filed on 7/17/04 is acknowledged. The traversal is on the ground(s) that there is no burden to search all claims. This is not found persuasive because applicants did not distinctly and specifically point out the supposed errors in the restriction requirement. Further, these inventions are distinct for the reasons given in the Restriction requirement and have acquired a separate status in the art as shown by their different classification and/or have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper. Furthermore, Applicant's traverse of the requirement for election of species is noted, asserting that there is no serious burden on the examiner to examine all claims. The traverse has been carefully considered, but is not persuasive because the reasons proffered do not appear germane to the propriety of a requirement for election of species. The sections of the manual cited relate to restriction, not a requirement for election of species, which is clearly covered in section 808.01(a). Once the claims are determined to be directed to mutually patentable inventions and the Office requires an election of species, a persuasive traverse is an admission on the record that applicant does not find the claimed species are patentable, one over the other. Having not done so, the reasons presented are not persuasive. Applicant is not entitled to examination of multiple independent inventions in one application. Moreover, examination of the independent inventions herein would clearly present a burden because the searches will not be coextensive. Accordingly, the requirement is repeated and made final.

The requirement is still deemed proper and is therefore made FINAL.

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Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. The abstract of the disclosure is objected to because it fails to corresponds with the elected claim subject matter. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 3-5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Metz (US 3,998,377).

Metz discloses operating at least one image-taking device (46 is from an observer); detecting the position of the PCB (col. 6, lines 54-57); 20 is at least one indicium (area where 46 intersects with 20 in Fig. 1) formed on the back of PCB predetermined positional relationship with 18; an observer has two eyes that are located at respective positions in Figs. 1-2 before brought

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Metz (US 3,998,377) in view of Salatino et al (US 5,887,343).

Metz fails to disclose at least one fiducial mark.

Salatino disclose at least one fiducial mark (24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Metz by providing at least one fiducial mark, as taught by Salatino, for the purpose of cheaply aligning different electronic devices.

4. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Metz (US 3,998,377) in view of Radobenko (US 3,695,501), and further in view of Tsuda et al (US 3,625,127).

Metz fails to disclose image-taking devices are located at the respective positions before the PCB is held by the supporting device and manually locating the plurality of image-taking devices.

Radobenko discloses image-taking devices are located at the respective positions before the PCB is held by the supporting device (col. 3, lines 10-24).

Tsuda discloses manually locating the plurality of image-taking devices (Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Metz by image-taking devices are located at the respective positions before the PCB is held by the supporting device and manually locating the plurality of image-taking devices, as taught by Radobenko and Tsuda, for the purpose of saving mounting space and simultaneously operating the switch and the knob.

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5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Metz (US 3,998,377) in view of Hofmeister (US 3,747,829).

Metz teaches the invention as described with respect to claims 1-7.

Metz fails to disclose detecting a positioning error of PCB and compensating based on the positioning error.

Hofmeister discloses detecting a positioning error of PCB and compensating based on the positioning error (col. 5, lines 42-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Metz by detecting a positioning error of PCB and compensating based on the positioning error, as taught by Hofmeister, for the purpose of providing good bonding between electronic devices.

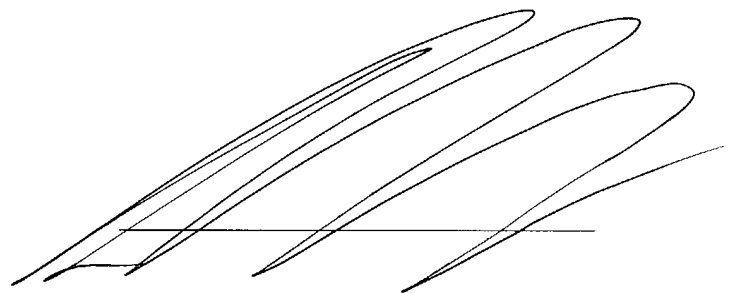
Conclusion

6. **Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity (optional). Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.**

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (703) 308-4784. The examiner can normally be reached on 5:30 AM to 1:30 PM, Monday through Thursday.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

A handwritten signature in black ink, consisting of several overlapping, sweeping strokes that form a stylized, somewhat abstract representation of the name 'Richard Chang'.

**RICHARD CHANG
PRIMARY EXAMINER**

RC
September 15, 2004